

[ECF No. 5]

**THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY
CAMDEN VICINAGE**

AMAALA MEDINA-JOHNSON,
individually and as proposed Administratrix
of the Estate of AMMIR JOHNSON,
deceased,

Plaintiff,

v.

**VENTNOR CITY POLICE
DEPARTMENT et al.,**

Defendants.

Civil No. 22-7552 (RMB/SAK)

ORDER

The matter having come before the Court on the Motion to Enter Default¹ [ECF No. 5] filed by Plaintiff Amaala Medina-Johnson; and the Court having received the opposition of Defendants Ventnor City Police Department and City of Ventnor (collectively, “Defendants”) [ECF No. 6]; and the Court having reviewed the moving papers and submissions, the record in this matter, and the applicable law; and Plaintiff seeking the entry default pursuant to Federal Rule of Civil Procedure 55(a) on the basis that Defendants failed to plead or otherwise defend this action upon its removal within the time prescribed by Rule 81(c)(2)(C), *see* Mot. at 1; Uzor Decl. ¶ 6; and Defendants certifying that, prior to the action’s removal, Defendants filed an answer to the complaint, separate defenses, and jury demand in the state court action, *see* Reynolds Cert. ¶ 2;

¹ The Court notes that Plaintiff filed her motion as a motion for default judgment; in actuality, however, Plaintiff’s motion is a motion to enter default. *See* Pl.’s Mot. at 1.

and Rule 81(c)(2) prescribing that, “[a]fter removal, repleading is unnecessary unless the court orders it;” and the Court having since ordered Defendants to refile their answer in this action for the sake of clarity and completeness, *see* Text Order, May 18, 2023 [ECF No. 9]; and Defendants having timely done so on May 25, 2023, *see* Defs.’ Answer [ECF No. 10]; and accordingly,

IT IS HEREBY ORDERED this **8th** day of **June, 2023**, that Plaintiff’s Motion to Enter Default [ECF No. 5] is **DENIED** as moot.

s/ Sharon A. King
SHARON A. KING
United States Magistrate Judge

cc: Hon. Renée Marie Bumb, Chief Judge